

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1, 3-10, and 12-18 are currently pending in this application.

Claims 1 and 10 have been amended without prejudice to more distinctly claim the invention.

Claims 2 and 11 have been canceled.

Claims 19-21 are withdrawn without prejudice as directed to a non-elected Group.

Applicant submits that no new matter has been introduced into the application by these amendments.

Elections/Restrictions

A telephonic election of Group I, claims 1-18, was made on June 16, 2009. In the Action at page 4, the Examiner indicated that this election must be affirmed. Applicants hereby affirm the election of Group I, now claims 1, 3-10 and 12-18 after the foregoing amendments.

Claims 19-21 have been withdrawn as directed to a non-elected Group, without prejudice to filing one or more divisional patent applications

Claim Rejections - 35 USC § 102

Claims 1-7, 9-16 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Vasel et al. (U.S. Patent No. 6,543,365).

As amended, Applicants' independent claims 1 and 10 claim a projectile "a generally uniform coating bonded to and enveloping the core."

Vasel only shows a projectile having a projectile body sealed between two capsule halves. The capsule halves are bonded to each other and are not disclosed as bonded to the projectile body. In addition, the capsule halves are not generally uniform as in Applicants' claimed invention, as the two capsule halves are brought together to form a non-uniform shell, rather than a coating. As Vasel does not disclose every element of Applicants' claimed invention, it does not anticipate Applicants' claimed invention under 102(b).

Claims 3-9 depend from claim 1, and claims 12-18 depend from claim 10. As Applicants submit claims 1 and 10 are allowable over the cited prior art of record, the claims depending therefrom should be allowable.

Based on the arguments presented above, withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1-7, 9-16 and 18 is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 8 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vasel et al. (U.S. Patent No. 6,543,365) as applied to the 35 U.S.C. § 102(b) rejection of claims 1, 7, 10 and 16.

Claims 8 and 17 claim a core material of Applicants' projectile as including rice straw. In view of the foregoing amendments to claims 1 and 10 from which claims 8 and 17 respectively depend, Applicants' respectfully submit that the obviousness rejection should be withdrawn.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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Application No.: 10/579,002

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-18, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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